



Security Council

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QUESTION OF EAST TIMOR

Report of the Secretary-General

1. The Security Council, by its resolution 1246 (1999) of 11 June 1999, established the United Nations Mission in East Timor (UNAMET) to organize and conduct a popular consultation. In accordance with that resolution, the United Nations is authorized to operate in East Timor throughout the consultation process, which ends by the announcement of its results. However, in accordance with the Agreement between the Republic of Indonesia and the Portuguese Republic on the question of East Timor signed on 5 May 1999 (hereinafter referred to as "the 5 May Agreement") (A/53/951-S/1999/513, annex I), the United Nations will be required to play a substantive role in East Timor in the post-ballot period.

Post-ballot scenarios

2. The 5 May Agreements provide for the United Nations to play a significant role in the implementation of either possible result of the consultation. Should the East Timorese vote to accept autonomy, the constitutional framework for a special autonomy (ibid., appendix) gives the Secretary-General of the United Nations the responsibility and the authority to monitor and verify the implementation of autonomy for East Timor and to establish such offices as are deemed necessary to do so in the Special Autonomous Region of East Timor (SARET). Additionally, the autonomy framework requires the Secretary-General to appoint a broadly representative Transitional Council, which would remain in place until the election of the Regional Council of People's Representatives of the SARET, which the Secretary-General is called upon to monitor and verify.

3. Should the consultation result in a rejection of autonomy, the 5 May Agreement provides that Indonesia, Portugal and the Secretary-General shall reach agreement on arrangements for the peaceful and orderly transfer of authority in East Timor to the United Nations. The Secretary-General shall then, subject to the appropriate legislative mandate, initiate the procedure enabling East Timor to begin a process of transition towards independence.

Interim phase

4. There will be an interim phase between the conclusion of the popular consultation and the start of the implementation of its result, during which the

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parties will undertake the necessary steps, legal and otherwise, for implementation to begin. Under article 7 of the 5 May Agreement, the Governments of Indonesia and Portugal requested the Secretary-General to maintain an adequate United Nations presence in East Timor during this period, regardless whether autonomy is accepted or rejected in the popular consultation. The purpose of the present report is to convey to the Security Council my views concerning this presence.

5. During this interim phase, the situation in East Timor will be rather delicate as the Territory prepares for the implementation of the result of the popular consultation, whichever it may be. Thus the United Nations efforts must be redoubled following the ballot to build confidence and support stability in the Territory and reassure all groups, in particular those who were in the minority in the ballot, that they have a role to play in the future political life of East Timor. In order to do this, the United Nations should be closely involved in the work of East Timorese bodies. The establishment of an interim representative council, and subsequently an elected representative council, foreseen in the special autonomy proposal, would also be highly desirable if autonomy is rejected. It would be highly desirable if this body could be established before or immediately following the ballot. The United Nations will also liaise with and advise the Indonesian authorities and maintain close contact with pro-integration and pro-independence groups. Again, these tasks would be the same under either ballot outcome. A further important task for the United Nations during the interim phase will be to prepare to adjust its role for the implementation of either option.

Restructuring of UNAMET

6. In order to accomplish these tasks, I wish to propose to the Council that UNAMET continue through the post-ballot period until the implementation phase of the result, and that its tasks and structure be adjusted in the manner described in the paragraphs below. One aim of these adjustments would be to ensure a United Nations presence in all 13 regencies (districts) of East Timor.

Electoral component

7. As the United Nations Volunteers serving as district electoral officers will have completed their task of conducting the ballot process, the majority of them will be withdrawn, although a portion, those with requisite skills and background to fulfil other tasks outlined herein, may be retained in order that the Mission may continue to draw upon their expertise and experience in East Timor. The electoral component itself would be temporarily reduced to a unit that would plan and prepare for the monitoring of the election of the Regional Council which is foreseen in the autonomy plan or for elections that will take place if autonomy is rejected. The unit will also assist in developing an appropriate legal framework, institutions and technical capacity for elections in either scenario.

Civilian police component

8. The police component would be increased to 410 to enable it to operate in all 13 regencies (districts). It would continue to advise the Indonesian

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police. It would be augmented by a small team to prepare for the recruitment and training of a new East Timorese police force, a requirement in both scenarios. The training personnel would eventually number about 50, bringing the overall strength of the police component to close to 460.

Military component

9. The military liaison component would be increased to 300 to enhance its capacity to cover all areas. It would continue to be deployed in all 13 districts. United Nations military liaison officers would liaise with the Indonesian armed forces, pro-integration militias and Falintil. They would also be in a position to advise on security matters as required, including efforts aimed at the disarmament of Falintil and the militias and the redeployment of the Indonesian armed forces and, as agreed by the parties, to monitor their implementation.

Civil affairs component

10. In order to continue to advise and assist the Special Representative for the East Timor popular consultation in monitoring the implementation of the 5 May Agreement, fostering reconciliation among East Timorese and maintaining liaison with the Indonesian authorities and other actors on the ground, the civil affairs component, hitherto the political component, would continue to monitor political and other developments in East Timor and their impact on the maintenance of political stability. The component will also assist the Special Representative for the East Timor Popular Consultation in the formation and development of a Representative Council, which will be necessary under either outcome. It will also assist in promoting respect for the rule of law and human rights and will cooperate with the Government, relevant national institutions, NGOs and other international and local partners to this end. Some additional humanitarian staff will be needed to coordinate the provision of humanitarian assistance, including assistance to internally displaced persons (IDPs), as well as to ensure timely contingency planning for potential humanitarian problems in the post-ballot period. To perform the tasks of the component, civil affairs officers will also be stationed in the 13 regencies (districts). The component's staff would be augmented accordingly.

Public information

11. Under either outcome, UNAMET will continue to require a public information capacity, including access to the media. During the post-ballot phase, it will be especially important to keep the people of East Timor and the international community informed of the progress made towards the implementation of the outcome, as well as disseminating a message promoting reconciliation, confidence and peace and stability.

Law and order

12. During the interim period, the Indonesian authorities will continue to be fully responsible for the maintenance of law and order, specifically the police, as affirmed by the 5 May Agreement. I trust that Indonesia will take all steps necessary to discharge this responsibility effectively during this particularly

delicate phase. As previously reported, cooperation between UNAMET and the Indonesian Task Force in Dili has been good. I trust that this will continue to be the case in the post-ballot phase.

Financial aspects

13. The General Assembly, in its resolution 53/240 of 29 June 1999, appropriated an amount of \$52,531,100 gross for UNAMET for the period from 5 May through 31 August 1999. Cost estimates for the extension of UNAMET for the three-month period and the adjustments proposed in the present report will be submitted to the General Assembly shortly.

Observations

14. The Agreement of 5 May constitutes an historic opportunity for the people of East Timor to shape the future of the Territory. Following the popular consultation, it will be the shared responsibility of the parties to the 5 May Agreement, the United Nations, the international community and indeed the people of East Timor to capitalize upon this opportunity and bring to a successful conclusion the long-standing issue of East Timor. For its part, UNAMET will do its utmost to fulfil its responsibility impartially and effectively. In turn, the parties to the 5 May Agreement will have to undertake the necessary steps, legal and otherwise, to fulfil their commitments to implement the result of the ballot in an orderly manner.

15. The interim period was the main subject of discussion at a meeting of senior officials of Indonesia, Portugal and the United Nations in mid-July, and the two Governments have been informed of the proposals contained in the present report.

16. In view of the time required for carrying out the proposed adjustments, I recommend that the Security Council positively consider the recommendations regarding the composition of UNAMET as soon as possible and authorize them for an initial period of three months from the date of the popular consultation scheduled for 30 August 1999.
